IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 7046 of 1999

Between:

A. Surya Kumari, W/o.Srinivasa Charyulu,

Penikera Village, Alamuru Mandal,

East Godavari District.

..... PETITIONER

AND

1. The District Collector, East Godavari District,

Kakinada.

2. The Mandal Revenue Officer, Alamuru Mandal,

East Godavari District.

3. The Sub-Collector, Rajahmundry, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in acquiring 0.50 cents of land situated in R.S.No.289/1 and 0.10 cents of land in R.S.No.290/2 of Jonnada Village, Alamuru Mandal, East Godavari District without initiating the procedure prescribed under Land Acquisition Act is illegal, arbitrary, erroneous and violative of Art. 21 & 300-A of the Constitution of India and consequently direct the respondents not to dispossess the petitioner from the land admeasuring 0.50 cents of land situated in R.S.No.289/1 and 0.10 cents situated in R.S.No.290/2 of Jonnada Village, Alamuru Mandal, East Godavari Distrtict.

Counsel for the Petitioner:MR.Y.V.RAVI PRASAD

Counsel for the Respondents: GP FOR LAND REVENUE

The Court made the following :

ORDER:

The petitioner claims to be owner of Acs.0.10 of land in R.S.No.290/2 as well as Acs.0.50 in R.S.No.289/1 of Jonnada Village, Alamuru Mandal, East Godavari District. She alleges that officials of second respondent made an attempt to dispossess the petitioner without initiating proceedings under Land Acquisition Act, 1894.

Learned Assistant Government Pleader for Revenue submits that even before notification could be issued for acquiring the lands, petitioner has approached this Court and obtained interim orders.

Therefore, the Writ Petition is disposed of observing that unless and until due process of law is followed the possession of petitioner, who is allegedly owner of the land, cannot be disturbed nor she be dispossessed. No costs.

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(V.V.S.RAO, J)

22.7.2004

bnr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The District Collector, East Godavari District,

Kakinada.

2. The Mandal Revenue Officer, Alamuru Mandal,

East Godavari District.

3. The Sub-Collector, Rajahmundry, East Godavari District.

4. 2 CCs to GP for Land Revenue, High Court Bldgs., Hyderabad (OUT)

5. 2CD copies